

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FEDERAL DEPOSIT INSURANCE
CORPORATION AS RECEIVER FOR
COLONIAL BANK

Plaintiff,

-v.-

FIRST HORIZON ASSET SECURITIES INC.;
FIRST HORIZON HOME LOAN
CORPORATION; CREDIT SUISSE
SECURITIES (USA) LLC; DEUTSCHE
BANK SECURITIES INC.; FTN FINANCIAL
SECURITIES CORP.; HSBC SECURITIES
(USA) INC.; RBS SECURITIES INC.; UBS
SECURITIES LLC; and WELLS FARGO
ASSET SECURITIES CORPORATION,

Defendants.

Case No. 12-cv-06166 (LLS)

**DECLARATION OF JISUN PARK IN FURTHER SUPPORT OF PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT ON ITS STANDING TO SUE DEFENDANTS
FOR VIOLATIONS OF SECURITIES LAWS**

I, Jisun Park, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am an attorney with Grais & Ellsworth LLP, counsel for plaintiff the Federal Deposit Insurance Corporation as Receiver for Colonial Bank. I am a member of the Bar of the State of New York and of this Court. I make this declaration in further support of Plaintiff's Motion for Summary Judgment on Its Standing to Sue Defendants for Violations of Securities Laws. I make this declaration on personal knowledge, and, if called and sworn as a witness, I could and would testify competently thereto.

2. On April 15, 2022, in support of Plaintiff's Motion for Summary Judgment on Its Standing to Sue Defendants for Violations of Securities Laws, I submitted a declaration that attached Exhibits 1 through 85. (Dkt. 376.) I have continued the numbering of exhibits in sequential order in this Declaration, which appends Exhibits 86 through 96.

3. Attached hereto as Exhibit 86 is a true and correct copy of excerpts from the deposition transcript of James Bowman, taken in *Federal Deposit Insurance Corporation as Receiver for Colonial Bank v. First Horizon Asset Secs. Inc.*, Case No. 12-cv-06166 in the Southern District of New York, dated December 21, 2018.

4. Attached hereto as Exhibit 87 is a true and correct copy of a June 12, 2007, email involving Brent Sloman, a Colonial employee, and James Bowman, an RBS employee, marked as exhibit 9 to the December 21, 2018, deposition of James Bowman in *Federal Deposit Insurance Corporation as Receiver for Colonial Bank v. First Horizon Asset Secs. Inc.*, Case No. 12-cv-06166, bearing Bates numbers FDIC_COL_00727043 through FDIC_COL_00727046.

5. Attached hereto as Exhibit 88 is a true and correct copy of excerpts from the deposition transcript of David Cantor, taken in *Federal Deposit Insurance Corporation as Receiver for Colonial Bank v. Banc of America Funding Corp.*, Case No. 2012-CV-901035, in the Circuit Court of Montgomery County, Alabama, dated October 2, 2015.

6. Attached hereto as Exhibit 89 is a true and correct copy of an email dated May 31, 2007, from David Cantor, a Credit Suisse employee, to Brent Sloman and Kamal Hosein, Colonial employees, bearing the Bates number FDIC_COL_01660930.

7. Attached hereto as Exhibit 90 is a true and correct copy of an email dated August 15, 2007, from David Cantor, a Credit Suisse employee, to Brent Sloman, a Colonial employee, bearing the Bates number CSFDICCOLNY000062797.

8. Attached hereto as Exhibit 91 is a true and correct copy of excerpts from the deposition transcript of Brent Sloman, taken in *In re: Countrywide Fin. Corp. Mortg.-Backed Secs. Litig.*, MDL No. 1 1-ML-02265-MRP, Case No. 12-CV-08317 MRP, in the Central District of California, dated March 22, 2014.

9. Attached hereto as Exhibit 92 is a true and correct copy of excerpts from the deposition transcript of Brent Sloman, taken in *Federal Deposit Insurance Corporation as Receiver for Colonial Bank v. Banc of America Funding Corp.*, Case No. 2012-CV-901035, 2012-CV-901036 in the Circuit Court of Montgomery County, Alabama, dated February 20 and 21, 2016.

10. Attached hereto as Exhibit 93 is a true and correct copy of excerpts from the deposition transcript of Walter N. Torous, taken in *Federal Deposit Insurance Corporation as Receiver for Colonial Bank v. First Horizon Asset Secs. Inc.*, Case No. 12-cv-06166 in the Southern District of New York, dated May 26, 2021.

11. Attached hereto as Exhibit 94 is a true and correct copy of excerpts from the deposition transcript of John D. Finnerty, taken in *Federal Deposit Insurance Corporation as Receiver for Colonial Bank v. First Horizon Asset Secs. Inc.*, Case No. 12-cv-06166 in the Southern District of New York, dated May 21, 2021.

12. Attached hereto as Exhibit 95 is a true and correct copy of excerpts from the deposition transcript of William Uelmen, taken in *Federal Deposit Insurance Corporation as Receiver for Colonial Bank v. Credit Suisse First Boston Mortg. Secs. Corp.*, Case No. 2012-CV-901035, 2012-CV-901036 in the Circuit Court of Montgomery County, Alabama, dated February 9, 2016.

13. Attached hereto as Exhibit 96 is a true and correct copy of excerpts from the deposition transcript of William Uelmen, taken in *Federal Deposit Insurance Corporation as Receiver for Colonial Bank v. First Horizon Asset Secs. Inc.*, Case No. 12-cv-06166 in the Southern District of New York, dated May 17, 2019.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 10, 2022 in New York, New York.

/s Jisun Park

Jisun Park